

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 19, 2006

DIVISION ONE

B179370 Harris et al. (Certified for Publication)
v.
Verizon Communications et al.

The appeal is dismissed. The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

I concur: Spencer, P.J.
I dissent: Mallano, J. (Opinion)

B182791 People
v.
Oscar Ramirez

Filed order denying petition for rehearing.

DIVISION TWO

B183578 Music Video Products, Inc. (Not for Publication)
v.
Kreative Video Products, Inc., et al.

The orders of the trial court are affirmed. Knowles is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

July 19, 2006 (Continued)

DIVISION TWO (Continued)

B180718 Bahat (Not for Publication)
v.
Bahat

The judgment of the trial court is reversed to the extent it (1) allowed Oded a Watts credit after October 2003, and (2) determined that Gordon's life insurance policy naming Oded as beneficiary was not a community asset. The matter is remanded to the trial court to recalculate the Watts charge, award Susi her share of the community interest in Gordon's life insurance policy, and determine whether Susi is entitled to and was awarded \$19,880.69. In all other respects, the judgment is affirmed. The parties to bear their own costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B182290 People (Not for Publication)
v.
Gill

The judgment is affirmed. The matter remanded for resentencing so that the trial court can either impose or strike the prior prison term enhancement related to case No. A953996.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

Court convened at 9:30

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Z. Heraldez, Deputy Clerk.

DIVISION THREE (Continued)

Each of the following:

B178048 People v. Gabriel Alonzo
B187962 People v. Robert Allen D.
B184111 People v. Raymond Ramirez
B182648 People v. Vince Lamont Jackson
B185912 People v. Todd Vincent Balkam
B191199 Joshua S. v. S.C.L.A. (DCFS)
B189085 DCFS v. Denise P.

Argument waived, cause submitted.

B180233 Veterinary Management Services Inc.
 v.
 Imaging Services, Inc. aka Imaging3, Inc.

Merits:

Argued by Richard Daily for respondent and no appearance for appellant.
Cause submitted.

B183343 Grand Avenue Enterprises, Inc.
 v.
 City of Los Angeles a Municipal Corp

Merits:

Argued by Robert Diamond for appellant and by Steven Blau for
respondent. Cause submitted.

B180582 Elizabeth Sferrino
 v.
 Daniel E. Hoffman

Merits:

Argued by Filomena E. Meyer for respondent and no appearance for
appellant. Cause submitted.

DIVISION THREE (Continued)

B182088 SC Manufactured Homes Inc. et la
v.
Canyon View Estates, Inc. et al

Merits:
Argued by Maryann R. Marzano for appellants and by William Ray Ramsey for respondents. Cause submitted.

B182972 Peter T. Brown
v.
Northridge Hospital

B187236 Peter T. Brown et al
V
S.C.L.A.
Dr. Gregg R. Sobeck M.D.

Merits:
Argued by Duane R. Folke for appellant and petitioner and by Barbara Reardon for respondent and real party in interest. Cause submitted.

Court recessed at 11:59 a.m.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Zaida G. Heraldez, Deputy Clerk.

B180582 Elizabeth Sferrino
v.
Daniel E. Hoffman

B187829 Rayonier, Inc. et al
v.
S.C.L.A.
ITT Industries Inc. et al (R.P.I.)

Merits:
Argued by Robert L. Wallan for appellants/petitioners and James P. Fogelman and Ronald M. Oster for respondents/real parties in interest.

Court adjourned.

DIVISION FOUR

[illegible]

The judgment is modified to reflect a total term of four years on the felon in possession count, to be served concurrently to the sentence on the assault count, and two \$20 court security fees under section 1465.8. The superior court is directed to prepare an amended abstract of judgment to the Department of Corrections. As modified, the judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

B185151 People (Not for Publication)
v.
Stott

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B184494 People (Not for Publication)
v.
Houston

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FOUR (Continued)

[illegible]

The judgment is reversed. The matter is remanded to the trial court to conduct in camera proceedings as set forth in this opinion. If the review of Officer Shear's records reveals discoverable information, the court shall disclose the information to the defense and provide it with an opportunity to develop any evidence. If defendant can demonstrate there is a reasonable probability the outcome of the trial would have been different had the discovered evidence been admitted, the court shall order a new trial. If the in camera examination reveals no discoverable information in Officer Shear's personnel records or fails to lead to admissible evidence that the court believes would have established a reasonable probability of a different outcome, the court must reinstate the original judgment.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

B184467 Lesley et al. (Not for Publication)
v.
Thrifty Payless, Inc.

On Lesley's complaint, the summary judgment for Rite Aid is reversed and the matter is remanded for further proceedings. Lesley is awarded costs on appeal. On Rite Aid's cross-complaint, the appeal from the May 27, 2005 summary adjudication order is dismissed. The parties are to bear their own costs.

Suzukawa, J.

We concur: Willhite, Acting P.J.
Hastings, J. (Assigned)

DIVISION FOUR (Continued)

B182251 El-Attar (Not for Publication)

V.

Tenet Healthsystem QA, Inc. et al.

The judgment (orders granting summary adjudication and order granting nonsuit motion) is affirmed. The parties shall bear their own costs on appeal

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

B185266 Cohen-Sitt (Not for Publication)

V.

Bennett

The order awarding plaintiff attorney fees of \$2,745 is reversed. Each side to bear its own costs.

Willhite, Acting P.J.

We concur: Manella, J.
Hastings, J. (Assigned)

B186511 Brook (Not for Publication)

V.

Smithdorf

The judgment is reversed. Appellant(s) to recover costs.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

DIVISION SIX

B185073 Thornton (Not for Publication)

v.

We the People et al.,

The judgment (orders granting summary judgment and denying motion for new trial) is affirmed. Respondents are awarded costs on appeal.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B184264 People (Certified for Publication)

v.

Davis

The trial court is directed to modify the abstract of judgment by striking the four-year section 11353.6, subdivision (b) enhancement, and to forward the modified abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B182784 People (Not for Publication)

v.

Ogle

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

July 19, 2006 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B187477 People (Not for Publication)
v.
Shady

The judgment (order of commitment) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B186149 Schneider
v.
California Coastal Commission

Filed order denying petition for rehearing.

B176934 People
v.
Hartmann

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B184106 People (Not for Publication)
v.
Mitchell

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Johnson, J.

B185624 People (Not for Publication)
v.
Robins

The judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B184199 Los Angeles County, D.C.S. (Certified for Publication)
v.
Tiffany M.,

The jurisdiction findings and disposition orders of the juvenile court as to Baby Boy M. are reversed. The matter is remanded to the juvenile court with directions to maintain the protective custody warrant issued for Baby Boy M. in full force and effect, to set the case for periodic review hearings as required by law and to conduct other proceedings consistent with the views expressed in this opinion.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

July 19, 2006 (Continued)

DIVISION SEVEN (Continued)

B187168 Fabbri (Not for Publication)

V.

TD Waterhouse Investor Services, Inc.,

The judgment is affirmed. Waterhouse is to recover its costs on appeal.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B179094 Hou (Not for Publication)

V.

Wang

The judgment is affirmed. Each party to bear their own costs.

Perluss, P.J.

I concur: Woods, J.

I dissent: Johnson, J. (Opinion)